

### **REMARKS**

The Office Action dated January 3, 2007 rejected claims 29-56 as being anticipated by prior art. Claims 29-63 are pending in this application. Claims 29, 47, 57-60, 62 and 63 are independent claims. Claims 29, 32, 34, 35, 47-50, 52 and 55 have been amended, and claims 57-63 have been added, by this amendment.

### **Request for Clarification**

The anticipation rejection addressed only the features recited in independent claim 29. Thus, applicants filed a Request for Clarification on April 3, 2007 asking that the features of several of the dependent claims (claims 30-37, 45 and 46) be addressed. This Amendment can only address the Office Action in part since the Office Action does not address all of the claims. The Request for Clarification is hereby reaffirmed. This Amendment does not in any way supersede or render moot said Request for Clarification.

### **Anticipation Rejection**

The grounds for the anticipation rejection of claims 29-56 are purportedly set forth in part 3 on page 2 of the Office Action. As stated previously, the grounds only addresses the features found in independent claim 29 and so applicant can only consider the rejection to the extent that it addresses the features of claim 29. (Independent claim 47 includes features substantially similar to those in claim 29 and so can be addressed as well.) Applicants are not able to respond to the rejections of claims 30-37, 45 and 46. Specifically, the rejection asserts that the features of claim 29 are anticipated by the communication system and method in U.S. Patent No. 6,122,512 issued to Bodin (this system hereinafter referred to simply as "Bodin"). Applicants respectfully traverse the rejection at least because it fails to establish a prima facie case that Bodin includes each and every one of the combination of features recited in independent claim 29.

For example, claim 29 recites the features of "determining a first timing of a received signal burst received from a transmitting station at a receiving station..." and "determining a second timing of the received signal burst, said second timing being for use in adjustment of internal timing of the receiving station for communicating further signal bursts with the

transmitting station." The rejection asserts that these features are found at col. 8, lines 1+, of the patent. Although Bodin does determine the position of a mobile station using timing information, applicants respectfully submit that Bodin does not include at least these features of claim 29.

The portion of the patent at col. 8, lines 1-37, reads as follows:

"...The time of transmission of each access burst is determined by the measured time reference  $t_1$  for the base station BTS2 and the command number in the frame for the time slot of the dedicated channel. The time delay  $t_2$  of the access signal is measured at the base station BTS2 in relation to the expected arrival time at the base station BTS2 if the mobile station were located at the same location as the base station BTS2. The time delay is measured in the same way as it would be with handover, but it differs from a complete handover to the base station BTS2 because although BTS2 records  $t_2$ , it also inhibits all response to the mobile station MS. The mobile station MS thus receives no response to the access signals. This stage is represented by block B7 in FIG. 3.

A clock T3124 is activated in the mobile station when sending the first access burst, see FIG. 7. When the time set on this clock has expired in the absence of any confirmation from the base station BTS2, the mobile station MS stops the transmission of access bursts to the base station BTS2. The mobile station MS then reestablishes the earlier connection with the base transceiver station BTS1 in accordance with standard unsuccessful handover procedures. This stage is represented by block B6 in FIG. 3.

The measured time delay  $t_2$  is sent from the base station BTS2 to a service node, possibly via other nodes, for measurement data processing as well as for the calculations for determining the position of the mobile. This stage is represented by block B8 in FIG. 3.

The procedure according to block B1 to B6 is repeated, but the measuring procedure is executed with a base transceiver station other than BTS2, i.e., the same type of access is now made to another base transceiver section, e.g., to BTS3. FIG. 4 illustrates repetition of the FIG. 3 procedure in several base stations, whereafter the position of the mobile station is determined on the basis of the time delays  $t_n$  measured at the base stations." (underlining added)

Bodin thus uses a single time delay (e.g.  $t_2$ ) from a given base station when determining position. That is to say that a single time delay is derived from at least one burst from a given station. This time delay is also used to derive the timing advance. There is no mention of determining a further timing associated with a signal burst. There is no mention of how this further timing could be used. It appears from col. 7, lines 9-18, that the time delay  $t_2$  is used to find a "Timing Advance . . . to make a correction with respect to propagation delay".

It should be noted that the first and second timing of the two determining steps quoted above are recited to be associated with the same signal burst. Consequently, Bodin does not include the two "determining" features of claim 29 quoted above.

### Claim Amendments

The previous claims 29-56 have been amended merely as to form. The scope of the claims remains substantially unchanged.

New claim 58 is directed to a station, and contains features substantially similar to claim 29. New claims 57 and 59 are similar to claims 47 and 58, respectively, but contain means plus function language according to 35 USC 112, sixth paragraph. New claim 62 is directed to a computer-readable medium, and also contains features substantially similar to claim 29. Thus, claims 57-59 and 62 are believed to be allowable for at least the same reasons as claim 29.


New claims 60 and 61 recite the features of "determining first timing information associated with the signal burst, determining second timing information associated with the signal burst, determining timing delay information associated said second timing of the signal burst, and estimating a distance between the first and second stations based on said timing delay information and said first and second timing informationis and receiving stations." New claim 63 recites substantially similar features.

Bodin does not determine first and second timing information associated with the same signal burst when determining position. Therefore, new claims 60, 61 and 63 are not anticipated by Bodin at least for this reason.

Applicants hereby petition for a two month extension of time. Applicants authorize the Commissioner to charge the two month extension fee, the fees for the additional claims, and any other fees that may be necessary with this communication to Deposit Account No. 10-0100 (Atty Dkt NOKIA.4011us).

Respectfully Submitted,

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